

**U.S. Army Corps
of Engineers
Baltimore District**

Public Notice

**In Reply to Application Number
CENAB-OP-RMS (SCHEMINANT, TRACY)2008-00802-M13**

PN-08-52

Comment Period: July 31, 2008 to August 21, 2008

THE PURPOSE OF THIS PUBLIC NOTICE IS TO SOLICIT COMMENTS FROM THE PUBLIC ABOUT THE WORK DESCRIBED BELOW. AT THIS TIME, NO DECISION HAS BEEN MADE AS TO WHETHER OR NOT A PERMIT WILL BE ISSUED.

The Baltimore District has received an application for a Department of the Army Permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act (33 U.S.C. 1344), as described below:

APPLICANT: Mr. Tracy Scheminant
1628 Postal Road
Chester, Maryland 21619

LOCATION: In tidally influenced high marsh off Broad Creek and the Chesapeake Bay, at Lots 27 & 28, Block 36, Wallman Way, Bay City, Queen Anne's County, Maryland.

WORK: The applicant proposes to fill 4,162 square feet of tidally influenced high marsh to construct a 16 foot wide private shared driveway and to install utility lines under the proposed shared driveway to provide access to the upland portion of two building lots, in tidally influenced high marsh off Broad Creek and the Chesapeake Bay, at Lots 27 & 28, Block 36, Wallman Way, Bay City, Queen Anne's County, Maryland. All work is to be completed in accordance with the enclosed plans. If you have any questions concerning this matter, please contact Mr. Rod Schwarm at (410) 820-8550.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above.

Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

The applicant is required to obtain a water quality certification in accordance with Section 401 of the Clean Water Act from the Maryland Department of the Environment. Any written comments concerning the work described above which relate to water quality certification must be received by the Standards and Certification Division, Maryland Department of the Environment, Montgomery Park Business Center, 1800 Washington Boulevard, Suite 430, Baltimore, Maryland 21230-1708 within the comment period as specified above to receive consideration, with a copy provided to the Corps at the below address. Written comments concerning the work described above related to the factors listed above or other pertinent factors must be received by the District Engineer, US Army Corps of Engineers, Baltimore District, PO Box 1715, Baltimore, Maryland 21230-1715, within the comment period as specified above to receive consideration. The 401 certifying agency has a statutory limit of one year to make its decision.

The applicant has certified in this application that the proposed activity complies with and will be conducted in a manner consistent with the Maryland Coastal Zone Program. This certification statement is available for inspection in the Baltimore District Office; however, public comments relating to consistency must be received by the Coastal Zone Division, Maryland Department of the Environment, Montgomery Park Business Center, 1800 Washington Boulevard, Suite 430, Baltimore, Maryland 21230-1708, with a copy provided to the Corps, within the comment period as specified above. It should be noted that the Coastal Zone Division has a statutory limit of 6 months in which to make its consistency determination.

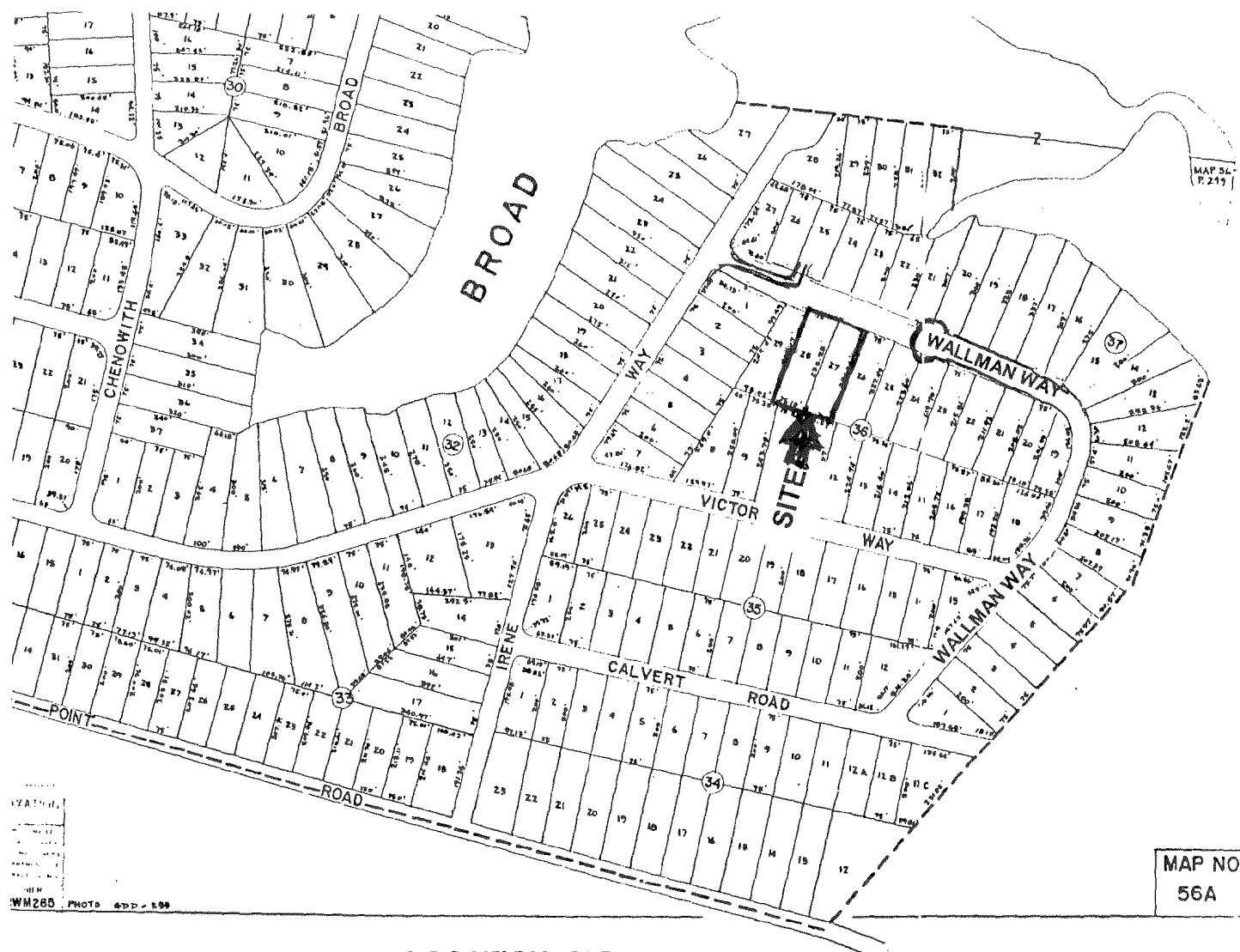
The applicant must obtain any State or local government permits which may be required.

A preliminary review of this application indicates that the proposed work will not affect listed species or their critical habitat pursuant to Section 7 of the Endangered Species Act as amended. As the evaluation of this application continues, additional information may become available which could modify this preliminary determination.

Review of the latest published version of the National Register of Historic Places indicates that no registered properties listed as eligible for inclusion therein are located at the site of the proposed work. Currently unknown archeological, scientific, prehistoric, or historical data may be lost or destroyed by the work to be accomplished under the requested permit.

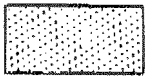
The evaluation of the impact of the work described above on the public interest will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 of the Clean Water Act. Any person who has an interest which may be adversely affected by the issuance of this permit may request a public hearing. The request, which must be in writing, must be received by the District Engineer, US Army Corps of Engineers, Baltimore District, PO Box 1715, Baltimore, Maryland 21203-1715, within the comment period as specified as above to receive consideration. Also, it must clearly state forth the interest which may be adversely affected by this activity in the manner in which the interest may be adversely affected.

It is requested that you communicated the foregoing information concerning the proposed work to any persons known by you to be interested and not being known to this office, who did not receive a copy of this notice.



LOCATION MAP

PERMIT
TO FILL/DISTURB
TIDAL HIGH MARSH WETLANDS
ON LOTS 27 & 28 OF BLOCK 36
BAY CITY
FOURTH ELECTION DISTRICT, QUEEN ANNE'S COUNTY, MARYLAND
PREPARED FOR : TRACY SCHEMINANT
DATED .



DENOTES AREA OF WETLANDS
TO BE FILLED/DISTURBED
AREA = 0.096 AC.± (4,162 sq. ft.±)

PROPOSED 16' WIDE
SHARED DRIVEWAY

NOTE: SEWER &
WATER LATERALS &
OTHER UTILITIES TO
BE CONSTRUCTED
WITHIN LIMITS
OF DISTURBANCE

TIDAL WETLANDS

TIDAL HIGH MARSH
WETLANDS

EXISTING
CUL-DE-SAC

WILLIAM LONG, et ux
LOT 26
LANDS N/E OF
S.M. 389/61

PROPOSED
SHARED DRIVEWAY

PROPOSED
DRIVEWAY

PROPOSED
DWELLING

PROPOSED
DWELLING

LOT 27

1895.196 SQ.
0.044 ACRES
LOT 28

WHELAN, et ux
LOT 11
LANDS N/E OF
S.M. 1319/20

MICHAEL A.
QUIGLEY, et ux
LOT 10
LANDS N/E OF
S.M. 728/113

JOHN J.
MADDY
LOT 9
LANDS N/E OF
S.M. 1067/572

TIDAL HIGH MARSH
WETLANDS

LOT 3

LOT 8

LOT 2

LOT 1

TRACY SCHEMINANT, et ux
LOT 29
LANDS N/E OF
S.M. 1584/269

PERMIT
TO FILL/DISTURB
TIDAL HIGH MARSH WETLANDS
ON LOTS 27 & 28 OF BLOCK 36
BAY CITY

FOURTH ELECTION DISTRICT, QUEEN ANNE'S COUNTY, MARYLAND
PREPARED FOR : TRACY SCHEMINANT
DATED : FEBRUARY 7, 2008
DMS JOB # 2007087
REVISED 6 MARCH 2008 BY COE

SCALE 1" = 60'

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SHEET 2 OF 2

**DAVIS, MOORE, SHEARON
& ASSOCIATES, LLC**
ENGINEERING, DRAFTING/DESIGN,
ENVIRONMENTAL SERVICES & SURVEYING
P.O. BOX 80
CENTREVILLE, MARYLAND 21817
PHONE 1-443-282-9130
FAX 1-443-282-9148